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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,334	07/17/2003	Xing-Zhi Lin	LINX3001/BEU	8653
23364	7590	11/02/2006	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			NGUYEN, KIMNHUNG T	
			ART UNIT	PAPER NUMBER
			2629	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/620,334

Applicant(s)

LIN, XING-ZHI

Examiner

Kimnhung Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Application has been examined. The claims 1-8 are pending. The examination results are as following.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6 and 7, recites the limitation "the pointing device" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim 8, recites the limitation "the input device" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasselli et al. (US 6,411,281) in view of Derocher et al. (US 6,476,795).

Regarding claim 1, Sasselli et al. discloses in fig. 1, a wireless pointing device, comprising a body having an opening (18); and a power supply module arranged to carry at least one battery (see battery 22 cover 26, and cavities 24); wherein the power-supply module is arranged to inserted into said opening (18) in order to supply power from the battery to said battery to said wireless input device.

However, Sassalli et al. does not disclose the power-supply module being arranged to be drawn out from the opening for replacement of the battery.

Derocher et al. discloses in figs. 1-3 and 5, a power-supply module (see module 30 includes reserve battery 36, reserve charger 34, and module 30 is placed in accessory bay 26 of computer 10, see col. 4, lines 47-52) being arranged to be drawn out from the opening for replacement of the battery (see fig. 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the power-supply module is drawn out from opening for replacement of the battery as taught by Derocher et al. into the system of Sassalli et al. because this would provide to the user to replace the battery in case of failure (see col. 3, lines 52-53)

Regarding claim 2, Sasselli discloses further the body has a circuit board (52), and at least a metal plate (see spring 30, fig. 1) extending form the circuit board for electrically contacting the batteries.

Regarding claim 3, Sasselli et al. discloses the power-supply module has an obvious carrier for containing the battery as discussed above; each of side of he carrier having flange, and correspondingly each side of the opening having a groove (see 24 contains battery 22) for receiving flange.

Regarding claim 4, Sasselli et al. discloses further the power supply module is fixed to the body by a fixing device (fig. 1).

Regarding claim 5, Sasselli et al. discloses further the fixing device includes a hook (38, fig. 3) located on the body, and a recess correspondingly located on the power-supply module (fig. 1).

Regarding claim 6, Sasselli et al. discloses the wireless input device is a computer mouse (fig. 1).

Regarding claims 7-8, Sasselli et al. discloses further the wireless input device (see cordless mouse, see abstract) and could be a game controller.

Response To Arguments

5. Applicant's arguments filed 8/9/06 have been fully considered but they are not persuasive.

Applicant states that "the Sasselli patent does not disclose any sort of power supply module, as claimed, but rather discloses direct insertion of batteries into an input device. This deficiency is not made up for by the Derocher patent, since the so-called "power supply module" 30 of Derocher is not actually a power supply module, but rather is a charger module which is arranged to charge reserve battery 36 and mouse battery 60 situated within the

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module. Charging of batteries within a module, as taught by Derocher, is exactly opposite to the claimed invention, which involves supplying power from batteries within the module to a device into which the module is inserted. As a result, it is respectfully submitted that the proposed combination of Sassily and Derocher does not suggest the claimed invention”.

Examiner respectfully disagrees because Derocher discloses a power supply module and is arranged to carry at least a battery 22. However, Derocher does not disclose that the power supply module is drawn out from the opening for replacement of the battery. Sasalli discloses in fig. 5, a power supply module 30 also arranged to carry at least a battery 36 and drawn out from the opening for replacement of the battery (see fig. 5 as discussed). The claimed invention said that “a power supply module arranged to carry at least one battery”, so that the meaning of claim said something arranged to carry at least one battery, but the claim does not say more detail about the power supply module. Therefore, the combination of Derocher and Sasalli are satisfied for its intended purpose. For these reasons, the rejections are maintained.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen

October 27, 2006



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600